

# **Fire Safety Code Board**

## **Of Appeal & Review**

### **Minutes of September 22, 2009 hearing**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, September 22, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Dias, Filippi, Pearson, Walker, Jasparro, Preiss, Blackburn and Richard. Commissioner Jackson was absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #060975: City of Newport, for the property located at 35 King Street in Newport. ADSFM Kevin Garcia appeared for the Newport Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Richard and Vice Chairman Newbrook, to approve the Applicant's plan of action for this facility and directs the Applicant to add a smoke barrier at the second floor common landing at the direction and to the satisfaction of the Newport Fire Marshal's office. Until all corrections have been completed, any occupancy over 49 persons in the assembly portion of this facility will need approval by the Newport Fire Marshal and the Applicant is directed to provide a firefighter detail and any other provisions deemed necessary by the marshal for such an assembly at the direction and to the satisfaction of the Newport Fire Marshal. The**

**motion was unanimous.**

**APPEAL #070091: Crotty & Son Body Works, for the property located at 4049 South County Trail, Charlestown. DSFM Dennis McGarty appeared for the State Fire Marshal's office. The Applicant failed to appear. The Applicant is directed to appear at the October 27, 2009 hearing to provide the Board with his plan of action for the correction of the deficiencies that remain outstanding.**

**APPEAL #070152: SM Mini Mart, for the property located at 5300 Post Road, Charlestown. DSFM Dennis McGarty and DSFM Christine Kent appeared for the State Fire Marshal's office. The Applicant failed to appear. Commissioner Walker made a motion, seconded by Vice Chairman Newbrook and Commissioner Jasparro to close this file. The motion was unanimous.**

**APPEAL #090259: Meshanticut Vista Associates, for the property located at 225 New London Avenue, Cranston. ADSFM Glenn Bathgate appeared for the Cranston Fire Marshal's office. The Applicant is directed to return at the October 20, 2009 hearing with a plan of action for the correction of the deficiencies at that facility.**

**APPEAL #090134: Mr. Daniel Sullivan, for the property located at 295 Carpenter Street in Providence. ADSFM Richard Vespia appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook, to direct the**

**Applicant to reprogram the cited code compliant system, and to submit that program to the Providence Fire Marshal's Alarm Division for approval. The Board grants its approval to allow three flow switches per zone in this facility providing custom verbiage at the panel specifies the floor served. The motion was unanimous.**

**APPEAL #090271: Mr. Timothy LaRose, for the property located at 150 Chestnut Street in Providence. ADSFM Richard Vespia and ADSFM Richard Silva appeared for the Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, to grant the following relief. The Applicant is granted a variance to be allowed to install a municipally connected fire alarm system in lieu of a high rise system. The Providence Fire Marshal's office had no objection. The Applicant is granted a variance, based on structural hardship, for variances 2 and 3, there being no objection by the Providence Fire Marshal's office. The Applicant is granted a time variance of nine months in order to bring this facility in compliance, including the various upgrades as agreed to by the parties. This file will remain open while the parties reevaluate deficiency #4. The motion was unanimous.**

**APPEAL #090264: Director of Public Property Alan Sepe, for the property located at 41-81 Fricker Street, Providence. ADSFM Lisa Krapf appeared for the Providence Fire Marshal's office. Commissioner Walker made a motion, seconded by Vice Chairman**

**Newbrook and Commissioner Dias, to allow locks on the cited doors, provided the Applicant places a “Not An Exit” sign at each of those doors. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook and Commissioner Filippi, to require the Applicant to install the required gates at stair #4, but to allow no gate at stair #5. The motion was unanimous.**

**APPEAL #060659, 060660, 060661: The Robinson Green Beretta Corporation, for the Broadway Plaza Apartments located at 103 Gesler Street, 70 Ridge Street and 63 Gesler Street in Providence. ADSFM Richard Silva appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to grant its approval to allow the Applicant to utilize the fifteen-point plan for these apartments as allowed at the time of the filing of the appeal. The Applicant is granted a time variance of 180 days from the hearing date in which to make all corrections, at the direction and to the satisfaction of the Providence Fire Marshal's office. The Providence Fire Marshal is granted the authority to extend the above deadline for good faith efforts being shown by the Applicant. This file is to be left open for the duration of the project. The motion was unanimous.**

**Vice Chairman Newbrook made a motion, seconded by Commissioners Walker and Richard to approve the subcommittee recommendations from their from their September 17, 2009 hearing. Commissioner Preiss recused himself from the vote. The motion**

**passed.**

**Respectfully submitted,**

**Carol Marsella**